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October 2, 2024

**VIA ECF**

Hon. Michael A. Hammer, U.S.M.J.  
United States District Court for the District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, New Jersey 07102

**Re: *Grushack v. New Jersey Department of Corrections, et al.***  
**Docket No.: 2:21-cv-623**  
**Joint Letter on Status of Settlement Negotiations**

Dear Judge Hammer:

This Office represents Defendants New Jersey Department of Corrections (“DOC”) and Marcus O. Hicks (collectively “DOC Defendants”). We submit this letter jointly with Deputy Attorney General Michael Sarno, who represents the New Jersey Department of Health (“DOH”), Judith M. Persichilli, Merrill Main, Shantay Adams, and Doreen Stanzione (collectively (DOH Defendants”), and Edward Hesketh, counsel for Plaintiff James Grushack (“Plaintiff”).

First, the parties extend sincere apologies to Your Honor for failing to submit this letter in compliance with the Court’s August 19, 2024 Order. (ECF# 101.)

The DOC Defendants, DOH Defendants, and Plaintiff submit this letter pursuant to Your Honor’s request for an update regarding whether the parties will seek another settlement conference. Because the defendants intend to seek summary judgment, the parties are not currently interested in moving forward with an additional settlement conference. However, the parties are amenable to revisit this issue once the motions for summary judgment are fully briefed.

Should Your Honor require any additional submissions, please do not hesitate to have your chambers contact me.

Respectfully submitted,

*/s/ Nicole A. Flynn*  
Nicole A Flynn, Esq.

NF:cd

cc: Counsel of Record (via ECF)